
ENGROSSED SENATE BILL 5336

State of Washington

56th Legislature

1999 Regular Session

By Senators Kline, Kohl-Welles, McDonald, Fraser and McAuliffe

Read first time 01/20/1999. Referred to Committee on State & Local Government.

1 AN ACT Relating to sewer facility capacity charges; and amending
2 RCW 35.58.570.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 35.58.570 and 1996 c 230 s 1602 are each amended to
5 read as follows:

6 (1) A metropolitan municipal corporation that is engaged in the
7 transmission, treatment, and disposal of sewage may impose a capacity
8 charge on users of the metropolitan municipal corporation's sewage
9 facilities when the user connects, reconnects, or establishes a new
10 service. The capacity charge shall be approved by the council of the
11 metropolitan municipal corporation and reviewed and reapproved
12 annually.

13 (2) The capacity charge shall be based upon the cost of the sewage
14 facilities' excess capacity that is necessary to provide sewerage
15 treatment for new users to the system. The capacity charge, which may
16 be collected over a period of fifteen years, shall not exceed:

17 (a) Seven dollars per month per residential customer equivalent for
18 connections and reconnections occurring prior to January 1, 1996;
19 ((and))

1 (b) Ten dollars and fifty cents per month per residential customer
2 equivalent for connections and reconnections occurring after January 1,
3 1996, and prior to January 1, 2001; and

4 (c) Seventeen dollars and seventy-five cents per month per
5 residential customer equivalent for connections and reconnections
6 occurring on or after January 1, 2001, with the maximum allowed amount
7 adjusted annually after January 1, 2002, to reflect annual increases in
8 the implicit price deflator for Seattle.

9 ~~((For connections and reconnections occurring after January 1,~~
10 ~~2001, the capacity charge shall not exceed fifty percent of the basic~~
11 ~~sewer rate per residential customer equivalent established by the~~
12 ~~metropolitan municipal corporation at the time of the connection or~~
13 ~~reconnection.))~~

14 (3) The capacity charge for a building other than a single-family
15 residence shall be based on the projected number of residential
16 customer equivalents to be represented by the building, considering its
17 intended use.

18 (4) The council of the metropolitan municipal corporation shall
19 enforce the collection of the capacity charge in the same manner
20 provided for the collection, enforcement, and payment of rates and
21 charges for water-sewer districts provided in RCW 57.08.081. At least
22 thirty days before commencement of an action to foreclose a lien for a
23 capacity charge, the metropolitan municipal corporation shall send
24 written notice of delinquency in payment of the capacity charge to any
25 first mortgage or deed of trust holder of record at the address of
26 record.

27 (5) As used in this section, "sewage facilities" means capital
28 projects identified since January 1, 1982, ~~((to July 23, 1989,))~~ in the
29 metropolitan municipal corporation's comprehensive water pollution
30 abatement plan. "Residential customer equivalent" shall have the same
31 meaning used by the metropolitan municipal corporation in determining
32 rates and charges at the time the capacity charge is imposed.

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